

USSN 10/754,938

STATEMENT OF UNINTENTIONAL DELAY

The Applicant respectfully submits that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

The final Office Action was issued on September 26, 2007 and the Applicant filed a response on November 25, 2007. Subsequently, a notice of Non-Compliance was issued on December 14, 2007. The Applicant filed a response accordingly, correcting the status identifiers for the claim listing on January 9, 2008 and was filed with a one month extension fee. This was followed by issuance of an Advisory Action on March 17, 2006, however was only received in the mail by the Applicant after the 6 month deadline of March 26, 2008. The Applicant intended to monitor the due date, by which a response would have been immediately sent to the USPTO to maintain the application alive. The Applicant respectfully submits that he had every intention of continuing with the prosecution of the application.

The Applicant respectfully requests revival of the present application under 37 CFR 1.137(b). The present petition is accompanied by:

- (1) a Request for Continued Examination requesting entry of the Applicant's filed Replies to the final Office Action of September 26, 2007 ('final Office Action') and Notice of Non-Compliant Amendment of December 14, 2007 ('Notice'), as the reply required under 37 CFR 1.137(b)(1);
- (2) The petition fee as set forth in § 1.17(m), as required under 37 CFR 1.137(b)(2); and
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, as required under 37 CFR 1.137(b)(3).



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Simon Robert Walmsley

June 16, 2008